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Atty. Dkt. No. 071949-1315

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler

Title: DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT OF REAGENTS WITHOUT MEMBRANES

Appl. No.: 09/982,629

Filing Date: 10/18/2001

Examiner: Alexander, Lyle

Art Unit: 1743

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.	
<hr/> <b>Germaine Sarda</b> (Printed Name) <hr/> <b>Germaine Sarda</b> (Signature) <hr/>	
<b>October 17, 2003</b> (Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Enclosed please find the following:

- Response to Office Action (9 pages);
- Appendix 1 (3 pages);
- Declaration of Dr. Kenneth F. Buechler (4 pages);
- Return postcard.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By



Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

Date October 17, 2003

FOLEY & LARDNER  
Customer Number: 23620  
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Docket No. 071949-1315

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth F. Buechler

Serial No.: 09/982,629

Filed: October 18, 2001

For: DIAGNOSTIC DEVICES AND  
APPARATUS FOR THE  
CONTROLLED MOVEMENT OF  
REAGENTS WITHOUT  
MEMBRANES

Examiner: Alexander, Lyle

Group Art Unit: 1743

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<hr/> <i>Germaine Sarda</i> (Printed Name) <i>Germaine Sarda</i> (Signature)	
<hr/> October 17, 2003 (Date of Deposit)	

**RESPONSE TO OFFICE ACTION**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on July 22, 2003 ("Paper No. 9"), please consider the following amendments and remarks.

Claim amendments begin on page 2 of this submission; Remarks begin on page 5.